letter was received the goods were shipped, and the defendants refused to receive them. *Held*, that, in the absence of any evidence that any other order was given, the language of the letter must be regarded as referring to the order of which a memorandum was made by the plaintiff's salesman, and so constituted evidence sufficient to go to the jury, as a memorandum in writing complying with the Statute of Frauds. *Louisville Asphalt Varnish Co.* v. *Lorick*, 8 S. E. Rep. 8 (S. C.).

There is an able dissenting opinion. See also Blackburn on Sales. 2d ed. 44.

STATUTE OF LIMITATIONS — OWNER'S LACK OF POSSESSION — INTERVAL BETWEEN SUCCESSIVE DISSEISINS. — Under the Statute of Limitations of 3 & 4 Will. IV., c. 27, when a disseisor abandons land of which he has taken possession, the seisin thereupon revests in the lawful owner without entry on his part, and the statute ceases to run against him. If, therefore, after an interval in which the land is not occupied, a second disseisor enters, the Statute of Limitations begins to run against the lawful owner only from the time of the entry of the second disseisor. *Semble*, however, that if the possession of the two disseisors had been continuous, the statute would run from the entry of the first disseisor. *Agency Co.* v. *Short*, 13 App. Cas. 793 (Eng.).

That, under this statute, if the second intruder disseises the first, and does not represent the same *persona* or estate, the statute will run against the owner only from the entry of the second disseisor, even though the two disseisins are continuous, see lecture note, 1 HARV. L. REV. 248, at 249.

For the distinction between the Statute of Limitations of 3 & 4 Will. IV., c. 27, which has been followed in some of the more modern American statutes, and that of 21 Jac. I., c. 16; from which they are more commonly copied, see lecture note, *supra;* also Langdell on Equity Pleading, § 111 *et seq.;* and *Chapin* v. *Freeland*, 142 Mass. 383, digested 1 HARV. L. REV. 48.

TRADE-MARKS — RIGHT TO USE AFTER DISSOLUTION OF PARTNERSHIP. — *Semble*, that a retiring partner who assents to the continuance of the business by the other partners at the old place of business and under the old firm name, retains no interest in the good-will of the business, and has no right to use a trade-mark which belonged to the old firm. *Menendez* v. *Holt*, 9 Sup. Ct. Rep. 143; S. C. 39 Alb. L. J. 7.

WILLS — POWER OF APPOINTMENT — EXECUTION. — The testatrix, having general power to appoint certain real estate by will, devised her property as follows: "I hereby devise and bequeath to my two youngest daughters all my property, real, personal, and mixed, and all my estate of every kind whatsoever and wheresoever situate." She had a life interest in the property, but apart from that and from her power of appointment she had no real estate. *Held*, that her intention to execute her power was plainly apparent, because otherwise the will would be inoperative as to real property, and therefore the will was a valid exercise of the power. *Balls* v. *Dampman*, 18 Md. Law Jour. 774 (Md.).

REVIEWS.

A TREATISE ON THE LAW OF CONDITIONAL SALES OF PERSONAL PROPERTY. By Charles R. Miller. Cincinnati: Robert Clarke & Co., 1888. 8vo.

With such predecessors as Lord Blackburn and Benjamin, Mr. Miller has not succeeded in adding anything of value to the law of sales. The last American edition of Benjamin by Judge Bennett has so thoroughly exhausted the subject, that there is little room for discussion which will be of service to the profession; and the author has not discussed mooted questions at all, but contented himself with the collection of authorities. Although he apparently intends to treat the subject of conditional sales exhaustively, he does not cite some of the cases which are landmarks in the field; *e. g.*, *Rugg* v. *Minett*, 11 East, 210; *Turley* v. *Bates*, 2 H. & C. 200; *Whitehouse* v. *Frost*, 12 East, 614, and others. This may be due to the author's inclination to rely exclusively on American cases, which is evident throughout the whole book; but such a feature is not commendable to a thorough student of

the system of common law, for a knowledge of the development of law seems indispensable to an understanding of its present condition. The author states the present law briefly and accurately, and hence this work is more convenient than a digest; but it in no way supplants the use of Blackburn for the student or of Benjamin for the practitioner. The index is a model — carefully prepared and exhaustive.

C. M. L.

THE STUDENTS' LAW LEXICON. By William C. Cochran. Cincinnati: Robert Clarke & Co., 1888. 12mo. 332 pages.

By the omission of obsolete words and phrases, and the careful condensation of definitions, this work has been kept within a small compass, and yet nothing of importance seems to have been omitted. A valuable incident of a book of this nature, — namely, the translation of Latin and French maxims of the law, — instead of appearing in the body of the work, has been properly relegated to an appendix. The insertion of a table of abbreviations and references to reports makes the book as complete as could be desired. A law lexicon which is prepared on such a plan, with a view to convenience and general utility, has a modern practical air about it that is refreshing as well as commendable.

A. E. M.

INDUSTRIAL LIBERTY. By John M. Bonham. New York and London: G. P. Putnam's Sons, 1888. 8vo. Pages ix and 114.

This book is designed to call attention to some of the industrial dangers of to-day. The author finds too much irresponsible power in the managers of corporations. He thinks that, because of the *quasi*-public nature of corporations, the officers should be under obligations to the public analogous to those of a trustee. The idea that political sovereignty is vested in the individual units is adopted by Mr. Bonham, and he concludes that all "paternalism" in government is vicious. It must be confessed, however, that he is not particularly strong in the discussion of fundamental principles; and when he comes to test measures by his idea of government, although generally very conservative, he occasionally startles the reader. For instance, he concludes that compulsory education in the common schools is wrong, because of its "paternalism."

It is to be regretted that the suggestions of the book, some of which are very good, were not put into one-half or one-quarter the space, instead of being spread over four hundred pages.

E. I. S.

HISTORY OF THE LAW OF TITHES IN ENGLAND. By William Easterly. Cambridge, at the University Press, 1888. 8vo.

This is the Yorke prize essay of the University of Cambridge for 1887; the subject-matter is exhaustively treated, and the book is certainly valuable to the student of legal history.

C. M. L.

A COMPENDIUM OF THE LAW OF TORTS. By Hugh Fraser. London: Reeves & Turner, 1888. 12mo.

The author's aim is to present a summary of the law of torts for the use of students; and in point of accuracy and brevity he has succeeded better than many of the numerous writers in this field of legal literature. It is not sufficiently exhaustive for the practitioner, and it may be too much condensed for a beginner; but it is admirably adapted to the wants of those who desire to make a hasty review of the law of torts.

C. M. L.